

## 37 Am. Jur. 2d Fraud and Deceit § 42

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### Fraud and Deceit

George Blum, J.D., John Bourdeau, J.D., Romualdo P. Eclavea, J.D., Janice Holben, J.D., Karl Oakes, J.D. and Eric C. Surette, J.D.

### III. Means of Perpetration

#### A. In General

## § 42. Modes of communication of representation—Suppression or concealment of truth

[Topic Summary](#) | [Correlation Table](#) | [References](#)

### West's Key Number Digest

West's Key Number Digest, [Fraud](#)  27, 28

Fraud may consist of a concealment or suppression of the truth,<sup>1</sup> or a suggestion of falsehood and a suppression of truth together.<sup>2</sup> It may be perpetrated by silence where there is a duty to speak<sup>3</sup> or by half-truths calculated to mislead.<sup>4</sup> Fraud encompasses any omission or concealment calculated to deceive.<sup>5</sup>

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### Footnotes

- <sup>1</sup> [Lewin v. Long](#), 70 F. Supp. 2d 534 (D.N.J. 1999) (applying Texas law); [Guilbeault v. R.J. Reynolds Tobacco Co.](#), 84 F. Supp. 2d 263 (D.R.I. 2000) (applying Rhode Island law); [Howarth v. Rockingham Pub. Co., Inc.](#), 20 F. Supp. 2d 959 (W.D. Va. 1998).  
As to concealment, see §§ [194](#) to [204](#).
- <sup>2</sup> [Citizens Sav. and Loan Ass'n v. Fischer](#), 67 Ill. App. 2d 315, 214 N.E.2d 612 (5th Dist. 1966).
- <sup>3</sup> [§ 198](#).
- <sup>4</sup> [§ 203](#).
- <sup>5</sup> [Farm Credit Bank of St. Louis v. Isringhausen](#), 210 Ill. App. 3d 724, 155 Ill. Dec. 235, 569 N.E.2d 235 (4th Dist. 1991).